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February 10, 2020

**VIA ECF**

United States District Court  
40 Foley Square  
New York, New York 10007  
Attention: Honorable Judge Andrew L. Carter, Jr.

Re: Hoechstetter et al v. Columbia University et al;  
Civil No.: 1:19-cv-02978-ALC  
Our File No: 150.562

Dear Judge Carter:

Our office represents The Trustees Of Columbia University In The City Of New York s/h/a "Columbia University," "Columbia University College Of Physicians And Surgeons," "Columbia - Presbyterian Medical Center, East Side Associates," and "East Side Associates", and The New York And Presbyterian Hospital s/h/a "The New York And Presbyterian Hospital," "Columbia Presbyterian Medical Center," "Columbia University Medical Center," "Presbyterian Hospital Physician Services Organization, Inc.," "Columbia Cornell Network Physicians, Inc." and "Sloane Hospital For Women" in the above-entitled action.

Please permit this correspondence to serve as a response on behalf of the above referenced defendants to this Court's February 5<sup>th</sup>, 2020 Order (Docket #41) directing the parties to file "the document provided to the state court on April 3 at 5:15 p.m., referred to as the second amended complaint, also known as Complaint C."

Initially, the defendants are not, and have never been, in possession of "Complaint C." As prior defense counsel noted in its May 24, 2019 correspondence to the Court (Docket #35), attorneys on behalf of the above referenced defendants have requested a copy of this Complaint from Plaintiffs' counsel, and to date, have not received same. In addition, counsel for the above referenced defendants have also requested a copy of "Complaint C" since the Court issued the February 5<sup>th</sup> order and have not been provided with same. Therefore, the above referenced defendants cannot provide a copy to the Court.

Based upon the procedural history delineated in the above referenced defendants' prior correspondence to the Court (Docket #25) and opposition to the Plaintiffs' remand motion (Docket #31-32), it is respectfully submitted this matter is still currently properly venued in the United States District Court, Southern District of New York.

Attention: Honorable Judge Andrew L. Carter, Jr.

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1:19-cv-02978-ALC

Re: Hoechstetter et al v. Columbia University et al;

Therefore, counsel for the above referenced defendants cannot provide a copy of "Complaint C" to the Court.

Very truly yours,

AARONSON RAPPAPORT FEINSTEIN & DEUTSCH, LLP

JAY A. RAPPAPORT/s/

Jay A. Rappaport

Peter J. Fazio

CC: ALL PARTIES VIA ECF

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